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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

UBILES, MARIE C

ART UNIT PAPER NUMBER

2642

DATE MAILED: 06/18/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/069,794

Applicant(s)

HERTELT ET AL.

Examiner

Marie C. Ubiles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claims 1-2 are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1, 6 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Staples et al. (US 5,889,845).

As for claims 1 and 6, Staples et al. discloses a system and method for enabling a remote user to maintain a virtual presence at a corporate office, the remote user establishes a virtual presence connection at the corporate office by providing identification and security information (i.e. wherein the diversion is initiated from the telecommunications terminal by inputting a prescribed access code), once the remote user is connected, a virtual presence server instructs the corporate PBX to automatically forwards (i.e. diverting) all calls to the remote user; it can be appreciated from Fig. 1 that the virtual presence server and PBX are connected to the PSTN, it is understood that public switching offices reside within the PSTN (i.e. a method for diverting telecommunications connections for line identifications of a private branch exchange in a public switching office in information stored to a telecommunications terminal with reference to the diverted telecommunications connections directed to one of the lines)(See *Abstract and Figure 1*).

Staples et al. system further provides a remote access call forwarding operation to instruct the telephone company Central Office to automatically route the calls made to the telecommuter's home number to the corporate office, the calls are forwarded to the virtual presence server and are then routed to the telecommuter's home by the virtual presence server (i.e. requesting from a telecommunications terminal, participation in the diverting with the allocation of

one of the line identifications, wherein the diverting of a telecommunications connection directed to an allocated line identification to the telecommunications terminal is performed in the public switching office)(See Summary, Col. 3, lines 55-67).

While not directly discussed by Staples et al., it would have been obvious to one of ordinary skill that in order for the forwarding of calls to be performed from the office into the user home phone a line identification (or ANI, as known in the art) will be needed; thus the calls will be forwarded based on these line identifications. In this case, at least the home phone and office phone ANIs will be needed in order to perform the function (i.e. providing a prescribed number of line identifications).

The limitation specifying "telecommunications terminal" is inherent on Staples' et al. system from the fact that calls are made to the user; thus the use of telephone units is implied.

As for claim 8, Staples et al. discloses that the establishment of the virtual presence in the corporate office may be performed by accessing the virtual presence server from a telephone instrument 124 connected to the computer system at home or portable or notebook computer while business traveling (i.e. wherein a request is made by transmitting a control signal from an arbitrary terminal to which the telecommunications connections are diverted)(See Description, Col. 7, line 66 – Col. 8, line 20).

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Claim 9 is rejected for the same reasons as claim 1.

Claim 10 is rejected, it seems to the Examiner that the Applicant is merely replicating the system as presented in claim 1.

4. Claims 2-5 and 7 rejected under 35 U.S.C. 103(a) as being unpatentable over Staples et al. (US 5,889,845) in view of Tannenbaum et al. (US 5,901,209).

As for claims 2-5, Staples et al. discloses the system as claimed except for the limitations specifying "transmitted in parallel an information signal that includes data to reproduce the line identification, and the information signal is modified when setting up a telecommunications connection from the telecommunications terminal to another telecommunications terminal; wherein the information signal is modified such that it reproduces the line identification allocated in the course of the diversion; wherein the information signal is modified such that it reproduces the line identification of the private line exchange; and wherein the modification of the information data can be switched off temporarily by inputting a special control signal."

While not discussed in Staples' et al. system, it is well in the art that ANIs (i.e. line identification and the identification of the telecommunications terminal) may be allocated telecommunications such as the one that exists in central offices (i.e. public switching office).

Tannenbaum et al. teaches a system and method for selectively adjusting the caller identification of a calling party, wherein the network system instigates a

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calling campaign where remote agents are connected to through the network to called parties where the called party receives the caller ID information pertaining to the calling campaign and not the caller ID of the agent (*See Abstract*). As taught by Tannenbaum et al., this "pseudo ANI" would be stored in a campaign definition database, when the caller is calling from home and it is desired to use the caller ID number, the caller will enter the database, under control of a special code and by using the caller ID number as an address into a database. The existing ANI of the caller would be matched against a database using the ANI as an address; the ANI match could be triggered by example, by the dialing of a special code or by the insertion of the code of an ANI (*See Description, Col 12, lines 6-61*).

It would have been obvious to one of ordinary skill in the art to modify Staples' et al. system by allowing the user to utilize a "pseudo ANI" that would be stored in a campaign definition database, as taught by Tannenbaum et al., and thus in this manner provide a system that not only forward the calls made to corporate office to the user home phone, but allows the user to mask his or her home phone ANI while working from home as displaying the user's home phone ANI is not appropriate and counterproductive.

While Tannenbaum et al. does not teach the use of a PBX in an explicit manner, he does mention that his system may resolve the problem of "a work-at-home situation where a party makes a call on behalf of an employer" (*See Summary, Col. 2, lines 37-38*). It is well known in the art, that most businesses possess a PBX system, thus it would have been obvious to one of ordinary skill to use

Tannenbaum et al. teaching to modify Staples et al. and thus provide a system capable of "reproduc[ing] the line identification of the private branch exchange".

As for claim 7, it does not seem critical to the Examiner where the virtual presence server device that performs the function of forwarding the calls and database with the "pseudo ANI" information are supposed to be located; thus it is not relevant if the information is stored in the public switching offices and/or the PBX of the provided line identifications.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Conn (EP 0 539104) teaches a home agent telecommunications technique (*See Abstract*).

St-Onge et al. (US 2003/0095644) teaches a system and method for remote access telephone (*See Abstract*).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marie C. Ubiles whose telephone number is (703) 305-0684. The examiner can normally be reached on 8am-5pm.

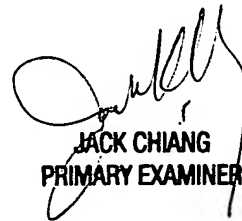
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703) 305-4731. The

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fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marie C. Ubiles
June 10, 2001.



JACK CHIANG
PRIMARY EXAMINER